

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN HOWARD AXELGARD,

Defendant.

Case No. 2:17-cr-00111-KJD-VCF-1

ORDER

MOTION FOR WARRANT FOR ARREST [ECF No. 58]

Before the Court is Defendant John Axelgard's¹ request for the Court to issue a warrant for arrest. (ECF No. 58). For the reasons discussed below, Defendant's motion is denied.

The indictment against Defendant in this case was dismissed on November 2, 2018. (ECF No. 55). This case is closed. There is no basis for Defendant to attempt to re-open this matter. In addition, Defendant's allegations in the motion now before the Court are not related to the indictment in this case. Finally, "[o]nly the U.S. Attorney can initiate criminal proceedings in federal court." *Rhodes v. Robinson*, 399 F. App'x 160, 165 (9th Cir. 2010). A private citizen "lacks standing to compel an investigation or prosecution of another person." *Tia v. Criminal Investigation Demanded as Set Forth*, 441 F. App'x 457, 458 (9th Cir. 2011).

///

///

¹ The motion was filed personally by Defendant, though Defendant was represented by the Federal Public Defender's Office in this case.

1
2 ACCORDINGLY, and for good cause shown,

3 IT IS ORDERED that Defendant's request for the Court to issue a warrant for arrest (ECF No. 58)
4 is DENIED.

5 DATED this 26th day of June, 2019.

6
7 

8 CAM FERENBACH
9 UNITED STATES MAGISTRATE JUDGE
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25